



State of Louisiana

Gaming Control Board

M. J. "MIKE" FOSTER, JR.
GOVERNOR

HILLARY J. CRAIN
CHAIRMAN

IN RE: SUPERIOR GRILL D/B/A SUPERIOR GRILL NO. VP3601210072A

ORDER


This matter was considered by the Louisiana Gaming Control Board at its meeting of February 18, 2003. The Hearing Officer's order dated February 4, 2003, based on the "Joint Motion for Entry of Stipulations and Approval of Proposed Settlement" in the matter of the "Notice of Recommendation of Suspension," by and between Superior Grill, Inc. d/b/a Superior Grill, No. VP3601210072A, and the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division, which is attached hereto and incorporated herein, is **APPROVED**.

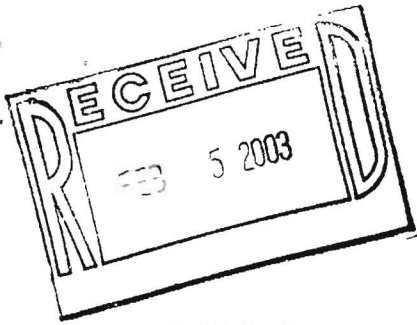
THUS DONE AND SIGNED on this the 20th day of February, 2003.

LOUISIANA GAMING CONTROL BOARD

BY:


HILLARY J. CRAIN, CHAIRMAN

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 24th DAY
OF February, 2003
APPEAL DOCKET CLERK




STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

RECEIVED
JAN 30 2003
ADMINISTRATIVE
DOCKET CLERK

IN RE: Superior Grill, Inc.
d/b/a Superior Grill

CASE NO. 3601210072A

JOINT MOTION FOR ENTRY OF STIPULATIONS AND
APPROVAL OF PROPOSED SETTLEMENT

ON THE JOINT MOTION OF:

1. the Louisiana Department of Public Safety and Corrections, Office of State Police, Video Gaming Division (hereinafter "Division"), and
2. Superior Grill, Inc. d/b/a Superior Grill- License No. 3601210072A (hereinafter "licensee").

who respectfully represent the following:

WHEREAS:

1. On or about March 8, 2002, the Division mailed the annual form, which must be submitted annually by all licensees, to the licensee;
2. The licensee was mandated by La. R.S. 27:311(K)(4), LAC 42:XI.2405(B)(4) and (7) to submit the above annual form to the Division, along with all appropriate fees and current tax clearance certificates, on or before July 1, 2002;
3. The licensee failed to submit the required state and local tax clearance certificate by July 1st;
4. Pursuant to this information, the Division issued a Notice of Violation and Hearing (Violation/Inspection Report #13835) to the licensee on or about September 24, 2002, alleging violations of LAC 42:XI.2405(B)(7);
5. Subsequently, the licensee submitted the state and local tax clearance certificates to the below counsel for the Division whom has attached these documents;

TRUE COPY
Gerald A. D.
Representative
Louisiana Gaming Control Board

6. This matter has been scheduled for hearing before the Honorable Joseph E. Anzalone, Jr..

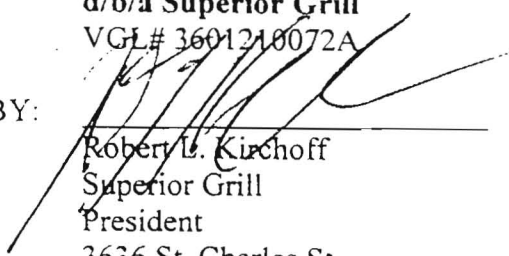
NOW THEREFORE, in consideration of the foregoing stipulations, the Division and the licensee hereby propose the following settlement, that:

1. The licensee acknowledges that it was in violation of LAC 42:XI.2405(B)(7), in that it did not submit the state or local tax clearance to the Division by July 1, 2002;
2. In lieu of revocation or suspension of the licensee's video gaming license, the licensee shall pay a \$250.00 civil penalty;
3. The Division hereby agrees to accept the licensee's payment of the above stated penalty in full and final settlement of Violation/Inspection Report No. 13835;
4. The Division reserves the right to take into consideration these violations in connection with any future violation;
5. The form and substance of this settlement are to be interpreted under the laws of the State of Louisiana;
6. This settlement constitutes the entire agreement between the Division and Superior Grill, Inc. d/b/a Superior Grill pertaining to the subject matter contained herein, and supercedes all prior and contemporaneous agreements, representations, and understandings of the parties;
7. This settlement is subject to approval by the Hearing Officer of the Louisiana Gaming Control Board; it is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not executory and will be submitted to the Board for its determination as to whether the matter should be heard by the Hearing Officer; if approved, however, payment of the above penalties must be submitted to the Division within fifteen (15) days of approval of this settlement by the Board; the failure to submit the civil penalty within fifteen (15) days of approval by the Board shall result in the video gaming license of Superior Grill, Inc. d/b/a Superior Grill being suspended and its gaming devices being disabled; and
8. The Division and the licensee waive their rights to appeal this settlement if the Order is signed by the Hearing Officer and accepted by the Board.

Respectfully submitted.

Superior Grill, Inc.
d/b/a Superior Grill
VGL# 3601210072A

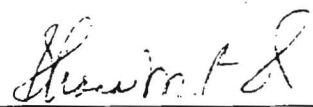
BY:



Robert L. Kirchoff
Superior Grill
President
3636 St. Charles St.
New Orleans, LA
Telephone: (504) 899-4200

RICHARD P. IEYOUB
ATTORNEY GENERAL

BY:



Shana M. Broussard
Assistant Attorney General
La. Bar Roll No. 24036
339 Florida Street, Ste. 500
Baton Rouge, Louisiana 70801
Telephone: (225) 342-2465
Facsimile: (225) 342-4244

STATE OF LOUISIANA
LOUISIANA GAMING CONTROL BOARD
ADMINISTRATIVE HEARING OFFICE

IN RE: Superior Grill, Inc.
d/b/a Superior Grill

CASE NO. 3601210072A

ORDER

Considering the foregoing Joint Motion For Entry of Stipulations and Approval of Proposed Settlement, IT IS HEREBY ORDERED that such proposed settlement be approved, to wit:

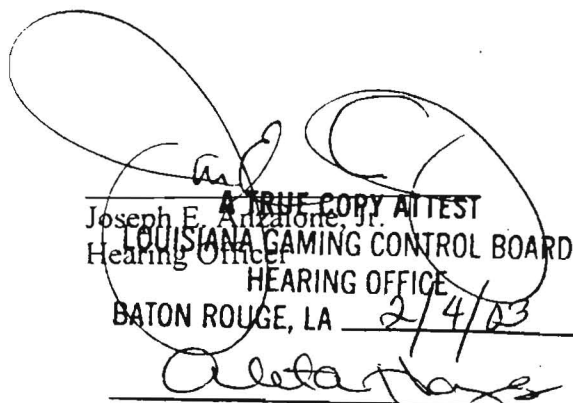
1. Superior Grill, Inc. d/b/a Superior Grill acknowledges that it was in violation of LAC 42:XI.2405(B)(7), in that it did not submit state or local tax clearances to the Division by July 1, 2002;
2. Superior Grill, Inc. d/b/a Superior Grill shall pay a civil penalty in the amount of \$250.00;
3. payment of the above penalty shall be submitted to the Division within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board; and
4. the failure to submit the above penalty within fifteen (15) days of approval by Superior Grill, Inc. d/b/a Superior Grill of this settlement by the Board shall result in the video gaming license of being suspended and its gaming devices being disabled.

THUS DONE AND SIGNED this 4 day of Feb,

2003 in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD
I HEREBY CERTIFY THAT A CERTIFIED
COPY HAS BEEN MAILED OR SERVED ON
ALL PARTIES THIS 4th DAY
OF February 2003
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

cc: Robert Kirchoff
Shana Braussard, Esq.
Sabrina Ballard


A TRUE COPY ATTEST
Joseph E. Andralone, Jr.
LOUISIANA GAMING CONTROL BOARD
Hearing Officer
HEARING OFFICE
BATON ROUGE, LA 2/4/03

BY: CLERK

STATE OF LOUISIANA
PARISH OF _____

AFFIDAVIT

BEFORE ME, the undersigned Notary Public, duly commissioned and qualified within and for the State and Parish aforesaid, PERSONALLY CAME AND APPEARED:

Robert L. Kirchoff.

who, after first being duly sworn, declared and acknowledged to me, Notary, under oath:

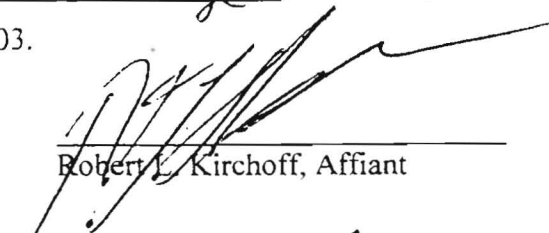
that affiant is the President of Superior Grill, Inc. d/b/a Superior Grill, which is located at 3636 St. Charles St., New Orleans, Louisiana;

that Superior Grill, received a Notice of Violation and Hearing Violation/Inspection Report No. 13835 from the Louisiana Gaming Control Board, citing violations of LAC 42:XI.2405(B)(7);

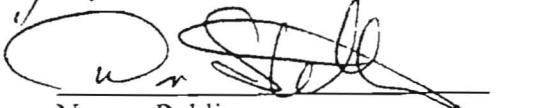
that in the interest of settling this matter, affiant has willfully entered into a Joint Motion for Entry of Stipulations and Approval of Proposed Settlement with the Division, via the Attorney General's Office; and

that affiant signed the above-cited motion of his own volition, without duress or coercion.

THUS DONE AND PASSED in Metairie, Louisiana, on this 28 day of January, 2003.



Robert L. Kirchoff, Affiant



Notary Public
My commission expires 1 death